

From: [Ed Scofield](#)
To: [Julie Patterson-Hunter](#)
Subject: FW: Nevada County Shooting Ordinance
Date: Monday, July 13, 2020 1:56:14 PM
Attachments: [Restore Recreational Shooting Rights on Private Land.pdf](#)
[Repeal Ord 2459 and Restore Ord 1500 - Petition Signatures.pdf](#)
[Hickman PRA 06252020.pdf](#)
[image001.png](#)

From: John Hickman [REDACTED]
Sent: Monday, July 13, 2020 8:31 AM
To: Ed Scofield <Ed.Scofield@co.nevada.ca.us>

[REDACTED]

Subject: Re: Nevada County Shooting Ordinance

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Supervisor Scofield,

We are grateful for your willingness to receive input on Ordinance #2459 changes and appreciate the work you do to provide governance for our beloved Nevada County.

As you know, in 2018 the Board of Supervisors capitulated to a barrage of complaints initiated by three citizens against their neighbor in an attempt to institutionalize their harassment campaign through passage of Ordinance #2459, practically eliminating recreational shooting rights on private property.

In doing so, the Board of Supervisors impacted the safe and reasonable practice of recreational shooting on private land that has been part of our rural culture for generations. The extreme limitations in the ordinance create unreasonable

suppression of our freedom, merely based on the subjective sensitivity of neighbors, location and zoning of private property.

The historical character of the Nevada County and our rural culture is to be treasured and fostered in the spirit of continuing our traditions. Part of our rural legacy is the responsible use and exercise of firearm ownership. This includes recreational shooting on private land. Nevada County has remained a primarily rural area for decades. The impetus used to promote the ordinance change was that "the population of Nevada County has changed." This statement is factually incorrect. There has been insignificant change in population and density since the amendment of Ordinance #1500 in 2006. We have grown at a rate of less than 0.16% annually from 2006 (pop 97,772) to 2018 (pop 98,696). Safety and security have been maintained for over a decade under the previous ordinance presenting no impetus for change to the 2006 Ordinance.

In addition, the Nevada County Sheriff's Office reports (attached) show only 6 safety incidents related to recreational shooting since the inception of the new ordinance, and only one that resulted in the issuance of a case number and corroborating evidence (Case#11902999). Additional records have been requested in accordance with California Government Code Section 6253 from the NCSO, and we are awaiting these records.

If the current ordinance is to stand, tens of thousands of property owners will continue to be prohibited from shooting safely on their private land with friends and family. Even when they comply with the litany of unreasonable prohibitions, those who are allowed to shoot on their property do so under severe restrictions and face criminal misdemeanor charges including potential jail time, simply because their neighbor may dislike the sound of shooting. This is particularly onerous and insidiously suppressive of our rural culture, as people move here from out of the area and are not familiar with the safe and responsible use of firearms for recreational purposes on private property.

The 2006 Ordinance was simple, easy to understand, and easy with which to comply. Restoring our 2006 amended Ordinance #1500 is the best solution to honoring our freedoms by preserving our culture and way of life in this beautiful land.

The Nevada County Gun Owners chapter of the CRPA has discussed this topic at length and come to the consensus that the best course of action is a complete repeal of the Ordinance #2459 and restoration of the 2006 amended Ordinance #1500 which it replaced.

In an attachment to this message, I present over 120 signatures from Nevada County voters to petition the Board of Supervisors to repeal Ordinance #2459 and Restore Ordinance #1500.

We will also have a significant presence at the Board of Supervisors meeting on July 14th, to address this topic.

Our intention is not to undermine any measures planned to assist the Nevada County

Sportsmen, or their efforts to continue their traditional operations, but to restore the traditional recreational shooting rights to private citizens on their private property that were egregiously and suddenly taken from them.

I have attached a copy of the electronic signatures gathered through Change.org. We will have additional hard copies of signatures at the meeting tomorrow. We have strong and rapidly growing support from the voters of Nevada County for this measure and will continue to bring our grievances until they are addressed.

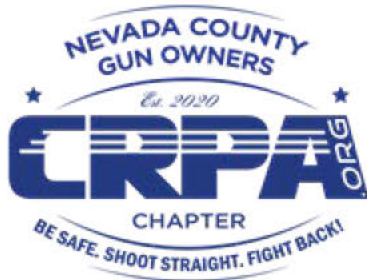
Respectfully,

John Hickman

Chairman - Nevada County Gun Owners

[REDACTED]

[REDACTED]



On Sat, May 9, 2020 at 8:31 AM Ed Scofield <Ed.Scofield@co.nevada.ca.us> wrote:

John,

The shooting ordinance is scheduled to come to the Board in June. The only major change being proposed is the timing, extending the evening hours. I could send you a draft of the proposed changes. I would suggest you write a letter with what you're suggesting to the clerk of the Board, addressed to the full Board. We could follow up with a virtual meeting once we're familiar with your input. You can do this through email also. I'm including our clerk in this email. (Julie)

Stay Safe

Ed Scofield

Supervisor, District II
Eric Rood Administrative Center
950 Maidu Avenue
Nevada City, CA 95959-8617
530-265-1480

From: John Hickman [REDACTED]
Sent: Thursday, May 7, 2020 4:02 PM
To: Ed Scofield <Ed.Scofield@co.nevada.ca.us>
Subject: Nevada County Shooting Ordinance

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Honorable Supervisor Scofield,

I'm reaching out to you to establish contact and open a dialog to discuss potential changes to the Nevada County Code 2459 Sec. G-VII 1.27 Discharging a Firearm.

I contacted your office today and left my name and number, but thought I would also reach out via email.

I am the Chairman of the Nevada County Gun Owners - a Chapter of the California Rifle and Pistol Association. We represent a number of Nevada County citizens affected by this ordinance.

We seek a forum within which we can express our concerns and provide constructive input.

Respectfully,

John Hickman
Chairman, Nevada County Gun Owners
Grass Valley, CA
[REDACTED]

--

Thanks,

John

From: [Ed Scofield](#)
To: [Julie Patterson-Hunter](#)
Subject: FW: Item 39 the shooting ordinance
Date: Monday, July 13, 2020 1:55:07 PM

-----Original Message-----

From: Charles Coover [REDACTED]
Sent: Monday, July 13, 2020 11:18 AM
To: Ed Scofield <Ed.Scofield@co.nevada.ca.us>
Cc: [REDACTED]
Subject: Item 39 the shooting ordinance

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Hi Ed, I am interested in this item. I would ask you to postpone this item until the pandemic situation allows. Many of us who have strong opinions on this topic are able to attend the board meeting without risk. I am old (yes really old, 82 in August of this year) and have been type 2 Diabetic for many years. My Doctor says "stay home" which I do until I wish to start eating cat food. (Just kidding, but the cat does eat better than I do most of the time.)

I request a delay in voting on this topic until many interested of us are able to attend without risk.. This also begs the question of how many people are asking for this change? People who have a legitimate concern, not including those influenced by strong opinionated neighbors. I believe there are many in our community who would attend were it not for covid-19 fears

Thanks for the consideration Ed.

Chuck Coover

Discussed and agreed to by Jay Kuca also.

--

Chuck Coover
[REDACTED]
Grass Valley, CA 95945

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This email has been checked for viruses by AVG.
<https://www.avg.com>

SENIOR PARTNER
C. D. Michel *

MANAGING PARTNER
Joshua Robert Dale

PARTNERS
Anna M. Barvir
Sean A. Brady
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Tiffany D. Chevrant
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Jason A. Davis
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Scott M. Franklin
Michael W. Price
Tamara M. Rider

* Also admitted in Texas and the
District of Columbia

WRITER'S DIRECT CONTACT:
562-216-4450
TChevrant@michellawyers.com

July 13, 2020

VIA EMAIL

Hon. Ed Scofield, Supervisor (District 2)
950 Maidu Ave., Suite 200
Nevada City, CA 95959
EMAIL: ed.scofield@co.nevada.ca.us

Re: REQUESTED AMENDMENTS TO ORDINANCE 2459

Dear Supervisor Scofield:

I write to you on behalf of our client the California Rifle & Pistol Association, Incorporated ("CRPA") and their tens of thousands of members, many of whom live in and around Nevada County, California. CRPA works with the local gun ranges and shooting clubs and members in the area and has close ties with maintaining access to shooting areas across the state.

On September 25, 2018 the Nevada County Board of Supervisors ("County") engaged in discussion and directed staff to develop a draft ordinance addressing discharging of firearms in residential neighborhoods and specifically on property of less than 5 acres in those residential areas.

Staff brought back a draft ordinance and ultimately Ordinance 2459 ("2018 Ordinance") was passed on December 11, 2018. While the purpose of the 2018 Ordinance was to "mitigate nuisance impacts in residential zoned neighborhoods and communities from discharging firearms," and ensure safety to neighboring properties, it seems that the 2018 Ordinance may have gone too far in dispossessing a very common use of private property in the rural county—the ability to shoot lawful firearms on private property.

This letter addresses the concerns that we believe should be addressed through Board of Supervisor action as soon as possible. We are asking for Ordinance 2495 (December 11, 2018) to be repealed and all processes reverted to the 2006 Ordinance which was far less restrictive for private property owners.

1. The 2018 Ordinance Is Duplicative And Conflicting And There Is Already A Noise Ordinance In Place

Section E of the Ordinance makes it "unlawful for any person to discharge any firearm that results in any noise which unreasonably disturbs the peace and quiet of any neighborhood, or which causes discomfort or annoyance to any reasonable person of normal sensitivity residing

within the limits of the County.” Not only is this section of the 2018 Ordinance overly broad and vague, but duplicative and conflicting with that of an existing County noise ordinance¹ that prohibits loud noises during specific times. The 2018 Ordinance places the property owner who is shooting on their own property in fear of getting a misdemeanor against them, but if they were playing loud music on their property, that same property owner may only receive a warning or citation. It is cumbersome and overbearing to place additional restrictions on private landowners who safety shoot on their own property just because of the type of noise that is complained of.

2. The Ordinance Was Requested By a Few People In A Neighbor Dispute But Would Affect One Hundred Thousand People In The County.

Nevada County is a rural community and we seek to maintain that rural culture in our area. It has been stated by Supervisor Miller that the demographics of the County changed so much from 2006 to 2018 that an ordinance of this nature prohibiting shooting of firearms on private property was a necessary precaution. However, census data shows that for the 12 years leading up to the 2018 Ordinance, only approximately 1,900 people moved to the County. In a population of 100,000 residents, this could not possibly be a reason for the County Board of Supervisors to place these types of restrictions on an entire community without influence from a very few people who just do not like firearms.

The County Mission Statement, adopted in January 2020 states that the mission is to “work with the community to develop sound and innovative public policy, provide strong leadership and deliver excellent services in a fiscally responsible manner.”² Listening to the few and ostracizing the many by instituting harsher penalties on those who enjoy a rural lifestyle is not developing sound and innovative public policy or strong leadership. You have a duty to consider all people in your county when you make decisions. This is nothing more than a gun control initiative clothed in a noise ordinance.

3. Complaints About Safety and Safety Studies

When the 2018 Ordinance was passed, Supervisor Weston stated that he had numerous complaints about bullets landing in neighbor’s yards near their homes. We question whether there is any real data linked to this claim? If there were these types of complaints would not law enforcement have reports that could be produced? This type of data was never presented in a meeting leading up to the 2018 Ordinance nor has it been produced in subsequent requests.

Did the County do any safety studies of the real issues around shooting firearms on private property? Again, there was nothing produced prior and still nothing produced for this latest meeting scheduled for July 14, 2020. A 2016 County Health Survey listed the top health concerns for people in the County. Residents shooting firearms on their own property was not discussed or

¹ [https://www.mynevadacounty.com/DocumentCenter/View/12702/311-Noise-Draft-PDF#:~:text=Nevada%20County%20General%20Plan%20and%20Noise%20Ordinance&text=Maximum%20allowable%20noise%20standards%20are,p.m.%20%E2%80%93%207%20a.m.\)%20periods.](https://www.mynevadacounty.com/DocumentCenter/View/12702/311-Noise-Draft-PDF#:~:text=Nevada%20County%20General%20Plan%20and%20Noise%20Ordinance&text=Maximum%20allowable%20noise%20standards%20are,p.m.%20%E2%80%93%207%20a.m.)%20periods.)

² <https://www.mynevadacounty.com/DocumentCenter/View/13401/Board-Vision-Mission-and-Values-Statements-PDF?bidId=>

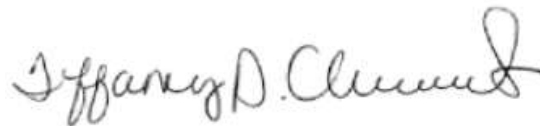
listed in the entire ninety-seven-page report.³ There literally has been no evidence presented to support the need for this ordinance.

Conclusion

We understand that this is a difficult issue. We encourage the County to consider these issues as they relate to the 2018 Ordinance and the private property rights of residents in the County. We encourage you to repeal this 2108 Ordinance that has been poorly crafted and riddled with inconsistencies from the beginning. If there are safety concerns those should be studied and documented. If not, the residents of Nevada County should not be held to the whims of the few residence who do not like firearms through an ill-conceived local action.

Should you have any further questions, please feel free to contact my office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tiffany D. Cheuvront". The signature is fluid and cursive, with a large, stylized initial 'T'.

Tiffany D. Cheuvront
Michel & Associates, P.C.

³ <https://www.mynevadacounty.com/DocumentCenter/View/13812/Nevada-County-Community-Health-Assessment-PDF?bidId=>

From: [Julie Patterson-Hunter](#)
To: [All BOS Board Members](#)
Subject: FW: Tuesday's Board Meeting
Date: Monday, July 13, 2020 1:08:57 PM

Dist 4

Julie Patterson Hunter, CCB
Clerk of the Board

-----Original Message-----

From: patti@theunion.net <patti@theunion.net>
Sent: Monday, July 13, 2020 12:57 PM
To: bdofsupervisors <bdofsupervisors@co.nevada.ca.us>
Subject: Tuesday's Board Meeting

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Nevada County Board of Supervisors,
Sue Hoek,

I am writing to ask all of you to seriously consider appealing Ordinance #2459.

This Ordinance goes against our rural nature in Nevada County, and against our culture of farms, hunters, and legal & responsible gun owners. I would be there in person if I could to address this important issue.

Thank you for your time,

Patricia Favetti



From: noreply@granicusideas.com
To: [BOS Public Comment](#)
Subject: New eComment for Nevada County Board of Supervisors July 14, 2020 meeting Agenda
Date: Monday, July 13, 2020 10:25:42 AM

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[SpeakUp](#)

New eComment for Nevada County Board of Supervisors July 14, 2020 meeting Agenda

Ryan Trauntvein submitted a new eComment.

Meeting: Nevada County Board of Supervisors July 14, 2020 meeting Agenda

Item: 39. SR 20-2204 (Introduce/Waive further reading) An Ordinance amending Section G-VII 1.27 to Article I of Chapter VII of the Nevada County General Code entitled Discharging a Firearm. (4/5 affirmative vote required)

eComment: During a public health crisis, where we still have no plan on how to open schools safely, you are putting lives in danger by spending any time considering this handout to a tiny number of businesses in Nevada County. This proposal simply is a public nuisance and increases the risk of wildfire, and loss of life and property. Nobody in the vicinity wants ranges open before sunrise or after sunset, and is purely irresponsible to allow shooting on high fire danger red-flag days.

[View and Analyze eComments](#)

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From: noreply@granicusideas.com
To: [BOS Public Comment](#)
Subject: New eComment for Nevada County Board of Supervisors July 14, 2020 meeting Agenda
Date: Monday, July 13, 2020 10:03:57 AM

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[SpeakUp](#)

New eComment for Nevada County Board of Supervisors July 14, 2020 meeting Agenda

Bryanna Lloyd submitted a new eComment.

Meeting: Nevada County Board of Supervisors July 14, 2020 meeting Agenda

Item: 39. SR 20-2204 (Introduce/Waive further reading) An Ordinance amending Section G-VII 1.27 to Article I of Chapter VII of the Nevada County General Code entitled Discharging a Firearm. (4/5 affirmative vote required)

eComment: The proposed hours are not reasonable for an activity that makes so much noise. Half an hour before sunrise is before 5:30 in the morning, which is clearly a disturbance to anyone living within earshot of gun ranges.

[View and Analyze eComments](#)

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From: [Tamara Eaton Bennett](#)
To: [BOS Public Comment](#)
Subject: Fwd: Agenda Item 39 Discharging a Firearm
Date: Monday, July 13, 2020 2:33:06 PM

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----- Forwarded message -----

From: **Tamara Eaton Bennett**
Date: Mon, Jul 13, 2020 at 2:28 PM
Subject: Agenda Item 39 Discharging a Firearm
To: <BOS.PublicComment@co.nevada.c.a.us>

In 2018 the BoS capitulated to complaints of 3 citizens against their neighbor through passage of Ord #2459, practically eliminating shooting rights on private property. The extreme limitations in the ordinance create unreasonable suppression of our freedom, merely based on the sensitivity of neighbors, location and zoning of private property. Restoring our 2006 Ord #1500 is the best solution to honoring our freedoms by preserving our local culture. **Don't let our county turn into the Bay area. We love our rural history and freedom.**

Regards,
Tamara Bennett
District 3

From: [Julie Patterson-Hunter](#)
To: [All BOS Board Members](#)
Subject: FW: Repeal Ord # 2459 and Restore Ord # 1500
Date: Monday, July 13, 2020 3:56:54 PM

Dist 3

From: Ed Scofield <Ed.Scofield@co.nevada.ca.us>
Sent: Monday, July 13, 2020 3:43 PM
To: Julie Patterson-Hunter <Julie.Patterson-Hunter@co.nevada.ca.us>
Subject: Fwd: Repeal Ord # 2459 and Restore Ord # 1500

Sent from my iPhone

Begin forwarded message:

From: DESIREE CARRINGTON [REDACTED] >
Date: July 13, 2020 at 2:30:19 PM PDT
To: Heidi Hall <Heidi.Hall@co.nevada.ca.us>, Ed Scofield <Ed.Scofield@co.nevada.ca.us>, Dan Miller <Dan.Miller@co.nevada.ca.us>, Sue Hoek <Sue.Hoek@co.nevada.ca.us>, Richard Anderson <Richard.Anderson@co.nevada.ca.us>
Subject: Repeal Ord # 2459 and Restore Ord # 1500

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Supervisors,

I strongly urge you to protect the individual rights of Nevada County citizens. Repeal the 2018 Shooting Ordinance # 2459 and restore the 2006 Ordinance # 1500.

Desiree Carrington

[REDACTED]
[REDACTED]
[REDACTED]

[Sent from Yahoo Mail for iPhone](#)